

Effective 5/10/2016

63H-6-103 Utah State Fair Corporation -- Legal status -- Powers.

- (1) There is created an independent public nonprofit corporation known as the "Utah State Fair Corporation."
- (2) The board shall file articles of incorporation for the corporation with the Division of Corporations and Commercial Code.
- (3) The corporation, subject to this chapter, has all powers and authority permitted nonprofit corporations by law.
- (4) The corporation shall:
 - (a) manage, supervise, and control:
 - (i) all activities relating to the annual exhibition described in Subsection (4)(j); and
 - (ii) except as otherwise provided by statute, all state expositions, including setting the time, place, and purpose of any state exposition;
 - (b) for public entertainment, displays, and exhibits or similar events:
 - (i) provide, sponsor, or arrange the events;
 - (ii) publicize and promote the events; and
 - (iii) secure funds to cover the cost of the exhibits from:
 - (A) private contributions;
 - (B) public appropriations;
 - (C) admission charges; and
 - (D) other lawful means;
 - (c) acquire and designate exposition sites;
 - (d) use generally accepted accounting principles in accounting for the corporation's assets, liabilities, and operations;
 - (e) seek corporate sponsorships for the state fair park or for individual buildings or facilities within the fair park;
 - (f) work with county and municipal governments, the Salt Lake Convention and Visitor's Bureau, the Utah Travel Council, and other entities to develop and promote expositions and the use of the state fair park;
 - (g) develop and maintain a marketing program to promote expositions and the use of the state fair park;
 - (h) in accordance with provisions of this part, operate and maintain the state fair park, including the physical appearance and structural integrity of the state fair park and the buildings located at the state fair park;
 - (i) prepare an economic development plan for the state fair park;
 - (j) hold an annual exhibition that:
 - (i) is called the state fair or a similar name;
 - (ii) promotes and highlights agriculture throughout the state;
 - (iii) includes expositions of livestock, poultry, agricultural, domestic science, horticultural, floricultural, mineral and industrial products, manufactured articles, and domestic animals that, in the corporation's opinion will best stimulate agricultural, industrial, artistic, and educational pursuits and the sharing of talents among the people of Utah;
 - (iv) includes the award of premiums for the best specimens of the exhibited articles and animals;
 - (v) permits competition by livestock exhibited by citizens of other states and territories of the United States; and
 - (vi) is arranged according to plans approved by the board;
 - (k) fix the conditions of entry to the annual exhibition described in Subsection (4)(j); and

- (l) publish a list of premiums that will be awarded at the annual exhibition described in Subsection (4)(j) for the best specimens of exhibited articles and animals.
- (5) In addition to the annual exhibition described in Subsection (4)(j), the corporation may hold other exhibitions of livestock, poultry, agricultural, domestic science, horticultural, floricultural, mineral and industrial products, manufactured articles, and domestic animals that, in the corporation's opinion, will best stimulate agricultural, industrial, artistic, and educational pursuits and the sharing of talents among the people of Utah.
- (6) The corporation may:
 - (a) employ advisers, consultants, and agents, including financial experts and independent legal counsel, and fix their compensation;
 - (b)
 - (i) participate in the state's Risk Management Fund created under Section 63A-4-201; or
 - (ii) procure insurance against any loss in connection with the corporation's property and other assets, including mortgage loans;
 - (c) receive and accept aid or contributions of money, property, labor, or other things of value from any source, including any grants or appropriations from any department, agency, or instrumentality of the United States or Utah;
 - (d) hold, use, loan, grant, and apply that aid and those contributions to carry out the purposes of the corporation, subject to the conditions, if any, upon which the aid and contributions were made;
 - (e) enter into management agreements with any person or entity for the performance of the corporation's functions or powers;
 - (f) establish whatever accounts and procedures as necessary to budget, receive, and disburse, account for, and audit all funds received, appropriated, or generated;
 - (g) subject to Subsection (8), lease any of the facilities at the state fair park;
 - (h) sponsor events as approved by the board; and
 - (i) enter into one or more agreements to develop the state fair park.
- (7)
 - (a) Except as provided in Subsection (7)(c), as an independent agency of Utah, the corporation is exempt from:
 - (i) Title 51, Chapter 5, Funds Consolidation Act;
 - (ii) Title 51, Chapter 7, State Money Management Act;
 - (iii) Title 63A, Utah Administrative Services Code;
 - (iv) Title 63G, Chapter 6a, Utah Procurement Code;
 - (v) Title 63J, Chapter 1, Budgetary Procedures Act; and
 - (vi) Title 67, Chapter 19, Utah State Personnel Management Act.
 - (b) The board shall adopt policies parallel to and consistent with:
 - (i) Title 51, Chapter 5, Funds Consolidation Act;
 - (ii) Title 51, Chapter 7, State Money Management Act;
 - (iii) Title 63A, Utah Administrative Services Code;
 - (iv) Title 63G, Chapter 6a, Utah Procurement Code; and
 - (v) Title 63J, Chapter 1, Budgetary Procedures Act.
 - (c) The corporation shall comply with the legislative approval requirements for new facilities established in Subsection 63A-5-104(3).
- (8)
 - (a) Before the corporation executes a lease described in Subsection (6)(g) with a term of 10 or more years, the corporation shall:

- (i) submit the proposed lease to the State Building Board for the State Building Board's approval or rejection; and
- (ii) if the State Building Board approves the proposed lease, submit the proposed lease to the Executive Appropriations Committee for the Executive Appropriation Committee's review and recommendation in accordance with Subsection (8)(b).
- (b) The Executive Appropriations Committee shall review a proposed lease submitted in accordance with Subsection (8)(a) and recommend to the corporation that the corporation:
 - (i) execute the proposed sublease; or
 - (ii) reject the proposed sublease.

Amended by Chapter 301, 2016 General Session